

# TRANSMITTAL FORM

Application Serial Number	09/879,433
Filing Date	June 12, 2001
First Named Inventor	Crowley
Group Art Unit	3739
Examiner Name	David M. Shay.
Attorney Docket No.	BSC-009DV
Confirmation No.	4101
Issue Date	Not applicable

RECEIVED  
SEP 24 2004  
TECHNOLOGY CENTER 3700

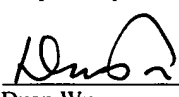
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input checked="" type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Copy of Notice of Draftsperson's Patent Drawing Review <input type="checkbox"/> Formal Drawings <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Request for Reinstatement of the Appeal Under 37 C.F.R. §1.193(b)(2)(ii) <input checked="" type="checkbox"/> Supplemental Brief on Appeal (13 pgs) plus Appendix (3 pgs), and Exhibit A (5 pgs) & Exhibit B (11 pgs) (all in triplicate) <input checked="" type="checkbox"/> Limited Recognition (1 pg)
---	---	--

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
 Date: September 20, 2004  
 Reg. No. Limited Recognition  
 Tel. No.: (617) 248-7808  
 Fax No.: (617) 248-7100  
 PTO Customer No. 021323  
 Duan Wu  
 Attorney for Appellants  
 Testa, Hurwitz & Thibault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110



9121107

Express Mail Label No. EV289511975US

AF/3739/#  
#15/24/  
L.F.  
11-10-4PATENT  
Atty. Docket No. BSC-009DV  
(1002/401)RECEIVED  
SEP 24 2004

TECHNOLOGY CENTER 3700

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Crowley CONFIRMATION NO. 4101  
SERIAL NUMBER: 09/879,433 ART UNIT: 3739  
FILING DATE: June 12, 2001 EXAMINER: David M. Shay  
TITLE: Mucosal Ablation

**REQUEST FOR REINSTATEMENT OF THE APPEAL**  
**UNDER 37 C.F.R. § 1.193(b)(2)(ii)**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

In response to the Office Communication issued on May 21, 2004, Applicants hereby request reinstatement of the appeal for United States Patent Application Serial No. 09/879,433. A Notice of Appeal for this application was filed on July 16, 2003. An Appeal Brief was initially filed on October 16, 2003, and re-filed with a corrected version on January 29, 2004.

Filed concurrently herewith is a Supplemental Brief on Appeal.

Respectfully submitted,

Date: September 20, 2004  
Reg. No. Limited Recognition  
Tel. No. (617) 248-7808  
Fax No. (617) 248-7100  
PTO Customer No. 021323

  
\_\_\_\_\_  
Duan Wu  
Attorney for Appellant  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

3118890



Express Mail Mailing Label No. EV289511975US

BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE

RECEIVED  
SEP 24 2004  
TECHNOLOGY CENTER 3700

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Duan Wu is hereby given limited recognition under 37 CFR 10.9(b) as an employee of Testa, Hurwitz & Thibault LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Testa, Hurwitz & Thibault LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Testa, Hurwitz & Thibault LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Duan Wu ceases to lawfully reside in the United States, (ii) Duan Wu's employment Testa, Hurwitz & Thibault LLP ceases or is terminated, or (iii) Duan Wu ceases to remain or reside in the United States on an H-1 visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: April 16, 2005

Harry I. Moatz  
Director of Enrollment and Discipline